

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
Swirniuk, Joleyn F. Swirniuk, Michael P.



**Order Filed on September 20, 2016
by Clerk**

**U.S. Bankruptcy Court
District of New Jersey**

Case No: 16-20537-PAB

Chapter: 7

Hearing Date: September 20, 2016

Judge: Andrew B. Altenburg Jr.

Recommended Local Form:

☐

Followed

☐

Modified

ORDER VACATING STAY

The relief set forth on the following page is hereby ordered **ORDERED**.

DATED: September 20, 2016



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Upon the motion of MANUFACTURERS AND TRADERS TRUST COMPANY ALSO KNOWN ASM&T BANK SUCCESSOR BY MERGER TO HUDSON CITY SAVINGS BANK, FSB, under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property More Fully Described as:

Land and premises commonly known as 21 Jaimi Drive, Franklin Township NJ 08328

☐ Personal Property More Fully Describes as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.